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September 6, 2005

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File: 15309-1US ADA/sl

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Denis Faucher  
Serial No.: 09/933.798  
Filed: August 22, 2001  
Title: INTEGRAL WATERPROOFING MEMBRANE  
Group Art Unit: 1771  
Examiner: Ula Corinna RUDDOCK (571) 272-1481  
Agent of Record: Robert Mitchell (514) 847-4290

MAIL STOP - 16  
U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
U.S.A.

## REQUEST FOR A REFUND

Madam:

Further to the filing of our Request for Continued Examination (RCE) dated July 11, 2005, our deposit account 19-5113 has been debited a fee for large entity status even though the Notice of allowance and fee(s) due dated April 29, 2005 is indicating a small entity status. Please, see the copy attached herewith.

Therefore, the amount of \$395 instead of \$790 should have been charged to our deposit account. We respectfully request a refund of \$395 to be credited to our deposit account.

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OGILVY RENAULT

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- 2 -

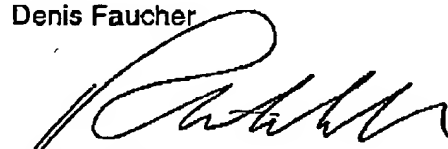
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We anticipate receiving the USPTO Statement showing this amount as being credited to our deposit account.

Respectfully submitted,

Denis Faucher

By:



Robert Mitchell  
Registration No. 25,007  
Customer Number 020988

Enclosure: Copy of Notice of Allowance and Fee(s) due - April 2005



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RCE \$  
2900

PTO/SB/30 (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/933,798
Filing Date	August 22, 2001
First Named Inventor	Denis Faucher
Group Art Unit	1771
Examiner Name	Ruddock, Ula Corrina
Attorney Docket Number	15309-IUS RM/ADA

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (a) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-5113
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Robert Mitchell	Registration No. (Attorney/Agent)	25,007
Signature		Date	July 11, 2005

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

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07/29/2005 ZJUHR1 00000024 195113 09933798

01 FC:1801 790.00 DA

Adjustment Date: 10/31/2005 SDIRETA1 00000024 195113 09933798

07/29/2005 ZJUHR1 00000024 195113 09933798

01 FC:1801 790.00 CR